

## REMARKS

### Amendments to the Specification

Numerous changes have been made to the specification. These have been made to correct typographical errors. It is urged that no new matter has been submitted.

A paragraph concerning continuing data has been added to indicate that this application is a divisional of U.S. 09/719,961 which was filed as the U.S. National Stage of PCT/NL00/00253. The PCT application had claimed priority to EP 99201204.7 and to U.S. Application 60/176,924. Priority to all of the above applications is claimed for the present application.

The paragraph on page 6, lines 13-24, had several amendments made. These were mostly very obvious typographical errors which will not be discussed except for the change in line 18 changing the term "<98%" to ">98%". This change is to correct a typographical error. The high degree of homology between the C-type lectin of the present invention and the lectin described by Curtis et al. is a homology greater than 98%. This can be ascertained by comparison of the sequences and is also stated elsewhere in the instant application, e.g., page 3, lines 7-9.

The paragraph on page 12, line 24, through page 13, line 2, also merely corrected several obvious typographical errors.

The paragraph on page 16, lines 3-15, was amended to correct obvious typographical errors.

The paragraph on page 18, lines 7-9, was amended to make reference to Figure 2D, since 2D was not elsewhere described in this section describing the Figures.

The paragraph on page 18, lines 17-19, was amended to refer to "Figures 5A-D" rather than to "Figure 5" since technically there is no "Figure 5". Parts A-D of the figure were already referred to in the original text of this paragraph.

The paragraph on page 18, lines 27-28, was amended to refer to ICAM-2 as well as ICAM-3 rather than incorrectly listing ICAM-3 twice. Support for this change can be found, e.g., in Figure 8 itself which is described by this paragraph.

The paragraph on page 24, lines 2-13, was amended to identify the two sequences shown in Figure 3B, these being SEQ ID NOs:5 and 6. Support for this can be found by comparing the sequences shown in Figure 3B with SEQ ID NOs:5 and 6 of the Sequence Listing.

The paragraph on page 25, line 23, through page 26, line 1, was amended to correct a typographical error and to make reference to Figures 5A-D rather than to Figure 5. Support for this latter change is found on page 18, lines 17-19, and in the Figures, specifically Figures 5A-D.

The paragraph on page 26, lines 2-7 was amended to correct a typographical error, to refer to Figures 5A and 5C rather than to Figure 5, and to include the abbreviation MZ for mantle zone. Support for reference to Figures 5A and 5C is found in the text of the present paragraph referring to the germinal centers (GC) and mantle zone (MZ) which are regions shown in Figures 5A and 5C. Addition of the abbreviation “MZ” for mantle zone is supported by the presence of this abbreviation in Figure 5C.

The paragraph on page 26, lines 11-18, was amended to refer to Figures 6A-D rather than to “Figure 6” which technically does not exist. Support for this amendment comes from the four paragraphs immediately following the amended paragraph, the four paragraphs describing Figures 6A-D.

The paragraph on page 27, line 21, through page 28, line 1, had two amendments made. First was to change reference to Figure 6B, in line 24 of page 27, to Figure 6C. Comparing the text of the paragraph to Figure 6B and to Figure 6C makes clear that the text refers to Figure 6C. The second amendment to this paragraph was to change “ICAM-3” to “ICAM-2” in line 31 on page 27. This is an obvious typographical error since ICAM-3 is referred to in line 30 and the text makes clear that line 31 should refer to ICAM-2 rather than having a second reference to ICAM-3. Furthermore, Figure 8, which is described by the text on these lines, shows data for both ICAM-2 and ICAM-3.

The paragraph on page 28, lines 5-14, was amended in two places to change references to “Figure 6C” to “Figure 6D”. The text of the paragraph, referring to AZN-D1, AZN-D2 and LFA-3, matches what is shown in Figure 6D but not in Figure 6C.

The paragraph on page 34, lines 14-27, was amended to correct a few obvious typographical errors and to insert references to SEQ ID NOs for the sequences shown in the paragraph. Support for adding these references comes from comparing the sequences shown in the paragraphs with the reference SEQ ID NOs:3 and 4 as shown in the Sequence Listing.

### New Claims

The Restriction Requirement imposed in parent application 09/719,961 identified twelve (12) groups of claims. The new claims presented here are believed to correspond to the claims of Group X of the Restriction Requirement imposed in the parent case. The change in language between the language of the claims submitted herein and the Group X claims that were pending in the parent application is not a narrowing of claims but is only meant to delete potentially indefinite language and to prevent redundancy in the claims. For example, claim 36 of the parent application included the language “antibodies directed against a C-type lectin as expressed on the surface of a dendritic cell or a part fragment or epitope thereof” and claim 38 of the parent application included the language “a monoclonal antibody directed against a C-type lectin with the amino acid sequence of SEQ ID no. 1 or a natural variant or equivalent thereof; and/or a part, fragment or epitope thereof”. The claims of the present application do not include the phrase “part, fragment or epitope thereof” but still fully encompass that concept. The present claims encompass an antibody that binds to a C-type lectin on the surface of a dendritic cell (claim 35) and limitations thereof as stated in dependent claims. The terms “part”, “fragment” and possibly even “epitope” may be considered by some to be indefinite (the Patent Examiner of the parent application stated that such language was indefinite, although the applicants do not agree with such an assessment). Consequently the language has been changed. It is urged that an antibody that binds to a protein necessarily binds to only a part, fragment or epitope of the protein, i.e., the antibody always contacts only a part, fragment or epitope of a protein and never contacts the complete protein. It is further well known that even a small part or fragment of a protein that is not a part of its normally occurring whole antibody can be antigenic and that antibodies can bind to the part or fragment in isolation. The parts or fragments of proteins, whether as part of a complete protein or just an isolated portion of a protein, to which antibodies bind are known as epitopes. It is therefore urged that the present claim language stating that an antibody binds to a C-type lectin encompasses antibodies that bind to a part, fragment or epitope of the C-type lectin, because technically when one states that an antibody binds to a protein what is actually meant is that the antibody binds to a part of the protein that is known as an epitope.

Additionally, the language “natural variant or equivalent thereof” is no longer present because the language was considered indefinite by the Patent Examiner of the parent application. This language has been replaced by the phrases “at least 80% homologous to SEQ ID NO:2” or

“at least 90% homologous to SEQ ID NO:2”. It is urged that the present language is definite. Support for the 80% and 90% language is found in the application at, e.g., page 17, lines 21-23. This language encompasses those natural variants and equivalents that are at least 80% or 90% homologous to said C-type lectin.

The Examiner is advised that, in addition to the pending parent application, a second divisional application with claims directed to Group XII as set forth in the Restriction Requirement imposed in the parent application is being submitted concurrently with the instant application. The Examiner is invited to telephone the undersigned to expedite allowance of the instant application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Stephen A. Saxe", is written over a horizontal line.

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## Marked-up Specification

### IN THE SPECIFICATION

#### **Amended Page 1, Paragraph Inserted at Line 2; Version with markings to show changes made**

This application is a divisional of U.S. Application No. 09/719,961 filed 24 September 2001, which is a U.S. National Stage filing of International Application No. PCT/NL00/00253 filed 19 April 2000, which claims priority to EP Application No. 99201204.7 filed 19 April 1999. International Application No. PCT/NL00/00253 additionally claims priority to U.S. Application No. 60/176,924. All of the foregoing applications are hereby incorporated herein by reference in their entirety.

#### **Amended Page 6, Paragraph on Lines 13-24; Version with markings to show changes made**

The amino acid sequence of one C-type lectin that was found to be involved in the binding of the dendritic cells to the T-cells is shown in SEQ ID [no.] NO: 1 and Figure 9. This C-type [lection] lectin receptor is essentially similar to [to] the C-type lectin gp120 receptor described by Curtis et al. in Proc.\_Nat'l.\_Acad.\_Sci.\_USA, 89 (1992), p. 8356-8360 and in WO 93/01820. In particular, it has a high degree of homology [ $< 98\%$ ] ( $\geq 98\%$ ) to the amino acid sequence given in SEQ ID [no.] NO: 1 of WO 93/01820. It is a group II C-type lectin of 404 amino acids; with an [apparant] apparent Mr of about 44 kDa; and with a first domain (Met 1 to Ala 76) comprising a cytoplasmic amino terminus, a second domain (Ile 77 to Val 249) comprising tandem repeats, and a third domain (Cys 253 to Ala 404) with a high degree of homology to other known C-type lectins which are type II membrane proteins. Further [characterisation] characterization is given below.

#### **Amended Paragraph on Page 12, Line 24, through Page 13, Line 2: Version with markings to show changes made**

Thus, the monoclonals of the invention constitute a very useful diagnostic and research tool, for use both *in vitro* as well as *in vivo*. Possible non-limiting fields of application include the study of dendritic cells and their function and interactions; the study of the immune system; the detection of dendritic cells and/or C-type lectins in cells, tissues or biological fluids such as

synovial tissue and skin tissue/skin cells ([ ]dermal dendritic cells); as well as the study of the role [dendritic] dendritic cells play in biological processes or disease mechanisms, such as cancer ([ ]as dendritic cells are exploited *in vivo* in clinical trials to [irradiate] eradicate tumor formation and development) and auto-immune diseases (including for instance rheumatoid [arthritis] arthritis).

**Amended Page 16, Paragraph on Lines 3-15: Version with markings to show changes made**

The antigen can be any antigen against which an (increased) immune response is to be obtained, or any part or fragment thereof. Preferably, any such part [of] or fragment is such that it *per se* is capable of [illiciting] eliciting an immune response, such as an epitope. However, this is not required: because according to the invention the fragments are directed to the dendritic cells, i.e. with increased specificity or affinity, a part [fragments] or fragment that would normally be incapable of [illiciting] eliciting an immune response may provide an immune response when used in conjunction with a ligand for the C-type lectins as described herein. Also, in general, using an antigen in combination with a ligand for the C-type lectins may increase the potency of the antigen, i.e. provide a higher or stronger immune response per unit of antigen administered. In this way, antigens – including those present in serums or vaccines, but also retroviral vectors encoding a desired antigen – could be administered at a lower dosage and still provide sufficient immune response.

**Amended Page 18, Paragraph on Lines 7-9: Version with markings to show changes made**

- Figures [2A – 2C] 2A-2D are graphs showing that the antibodies AZN-D1 and AZN-D2 inhibit adhesion of DC to ICAM-3 and recognize an antigen that is specifically expressed by DC.

**Amended Page 18, Paragraph on Lines 17-19: Version with markings to show changes made**

- [Figure 5 shows] Figures 5A-D show the tissue distribution of DC-SIGN as determined by immunohistochemical analysis of the expression of DC-SIGN in tonsils (A and B) and lymph node sections (C and D) (OMx100).

**Amended Page 18, Paragraph on Lines 27-28: Version with markings to show changes made**

- Figure 8 shows that DC SIGN binds to both [ICAM-3] ICAM-2 as well as ICAM-3 expressing K562 cells.

**Amended Page 24, Paragraph on Lines 2-13: Version with markings to show changes made**

To identify DC-SIGN<sub>2</sub>, a preparative immunoprecipitation from a DC lysate with the anti-DC-SIGN antibody AZN-D1 was performed and [excised] the 44 kDa protein from the SDS-PAGE gel was [performed] excised. After tryptic digestion, the resulting peptides were extracted from the gel and purified using preparative HPLC. Subsequently, the amino acid sequences of 2 peptides (0.5-1 pmol) were determined using the Edman degradation procedure. Both peptides consisted of 11 amino acid residues (Figure 3B; SEQ ID NOs:5 and 6) and the peptide sequences were used to screen the EMBL database for homology with known proteins. Both peptides proved 100% identical to the deduced amino acid sequence of the human HIV gp120-binding C-type lectin (Curtis et al., 1992). This protein has previously been identified exclusively in placenta as a CD4-independent receptor for the human immunodeficiency virus (HIV) envelope glycoprotein gp120.

**Amended Paragraph on Page 25, line 23, through Page 26, Line 1: Version with markings to show changes made**

To further investigate the expression of DC-SIGN [in-vivo] in vivo, immunohistochemical analysis of secondary lymphoid tissues with the anti-DC-SIGN antibodies was performed. These tissues are known to contain dendritic cells. Sections of tonsils and lymph nodes contained DC-SIGN expressing cells, which were predominantly observed in the T cell area of both tonsils and lymph nodes [(Figure 5)] (Figures 5A-D). [Figure 5 shows] Figures 5A-D show the tissue distribution of DC-SIGN: Immunohistochemical analysis of the expression of DC-SIGN in tonsils and lymph node sections (OMx100). Sections were fixed with acetone and the nuclear staining was performed with Hematein. Staining of DC-SIGN was performed with AZN-D1. The germinal center (GC), T- (T) and B-cell (B) areas are depicted.

**Amended Page 26, Paragraph on Lines 2-7: Version with markings to show changes made**

Consistent with the distribution and morphology of dendritic cells, DC-SIGN expressing cells are not detected in the germinal [centres] centers and the mantle zone (MZ) of the lymphoid tissues [(Figure 5)] (Figures 5A and 5C). Staining of serial sections for CD3 and CD14 confirmed that the DC-SIGN expressing cells are distinct from T cells and monocytes (data not shown) as was also demonstrated by both flowcytometric analysis and RT-PCR of these cells (Table 1).

**Amended Page 26, Paragraph on Lines 11-18: Version with markings to show changes made**

To demonstrate that DC bind to ICAM-3 expressing transfectants in a DC-SIGN dependent manner, the capacity of the leukemic cell line K562 transfected with the cDNA encoding ICAM-3 (K562-ICAM-3) to bind to DC was investigated. As shown in Figure 6A, DC cluster with K562-ICAM-3 in a DC-SIGN dependent manner, since the interaction can be blocked by anti-DC-SIGN antibodies. No clustering was observed between DC and K562 demonstrating that ICAM-3 is the ligand for DC-SIGN. [Figure 6 shows] Figures 6A-D show that DC-SIGN mediated adhesion of DC to ICAM-3 is involved in the DC-T-lymphocyte interaction:

**Amended Paragraph on Page 27, Line 21, through Page 28, Line 1: Version with markings to show changes made**

To test this it was investigated whether clustering of DC to T cells is mediated by DC-SIGN and whether this interaction is also transient. DC were incubated with resting allogeneic T cells (DC:T cell, 1:20) and the DC-T cell clustering was determined. As shown in Figure [6B] 6C, the clustering of DC with T cells is transient and reaches a maximum after 20 min (32%). Furthermore, the DC-T cell interaction can be inhibited (approximately 50%) by anti-DC-SIGN antibodies suggesting that the DC-T cell clustering is also mediated by other surface receptors. Thus, the DC-T cell clustering is indeed transient and partly mediated by DC-SIGN/ICAM-3 interactions. Similarly, Figure 8 shows that DC-SIGN binds not only with K562 cells expressing cDNA encoding ICAM-3, but also to K562 cells expressing cDNA encoding [ICAM-3] ICAM-2, and that said binding can be inhibited by both mannan as well as anti DC-SIGN antibodies.



**Amended Page 28, Paragraph on Lines 5-14: Version with markings to show changes made**

As DC-SIGN binding to ICAM-3 is important for the clustering of DC with T cells, the role of DC-SIGN in DC induced T cell proliferation was also investigated. Resting T lymphocytes were stimulated with allogeneic DC in the presence or absence of the blocking anti-DC-SIGN antibodies. As shown in Figure [6C] 6D, the anti-DC-SIGN antibodies AZN-D1 and AZN-D2 both inhibited the T-lymphocyte proliferation for more than 75%. Similarly, antibodies against the costimulatory molecule LFA-3, which binds to CD2 on T cells and is also known to mediate T cell proliferation, inhibit T cell proliferation. A combination of anti-LFA-3 and anti-DC-SIGN antibodies completely inhibits T-cell proliferation (Figure [6C] 6D).

**Amended Page 34, Paragraph on Lines 14-27: Version with markings to show changes made**

Total RNA was isolated by an acidic guanidinium isothiocyanate-phenol-chloroform procedure (Chomczynski and Sacchi, Anal Biochem 162(1), 156-9, 1987[ ]). The cDNA encoding the placenta gp120 binding C-type lectin was amplified by RT-PCR on total RNA from DC. PCR primers were based on the nucleotide sequence of the placenta gp120 binding C-type lectin (accession no. M98457, (Curtis et al., 1992)) and the nucleotide sequences (5' to 3') are as follows: XF29, AGAGTGGGGTGACATGAGTG (SEQ ID NO:3); XR1265, GAAGTTCTGCTACGCAGGAG (SEQ ID NO:4). The PCR fragment was cloned into the pGEM-T vector (Promega, Madison, WI) and sequenced. The nucleotide sequence of the cloned cDNA was identical to that of placenta gp120 binding C-type lectin (Curtis et al., 1992). The cDNA was subsequently cloned into the eukaryotic expression vector pRc/CMV (pRc/CMV-DC-SIGN) and COS7 cells were transiently transfected with pRc/CMV-DC-SIGN using the DEAE dextran method (Seed and Aruffo, Proc. Natl. Acad. Sci. U.S.A. 84, 3365-3369, 1987).